

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:12 CR 57**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>DOUGLAS GENE CHERRY, JR.,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** has come before the court pursuant to defendant's (pro se) motion made prior to the appointment of counsel entitled "Re: Motion for Appointment of Counsel" (#5). After the filing of the motion, the undersigned considered the request of defendant to appoint counsel and appointed counsel for defendant. Upon the call of this matter on for hearing, counsel for defendant advised the court that the defendant wished to withdraw his *pro se* motion filed by defendant. The undersigned finds that good cause has been shown for the granting of said motion.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's motion "Re: Motion for Appointment of Counsel" (#5) is hereby **ALLOWED** to be **withdrawn** and is dismissed without prejudice.

Signed: July 6, 2012

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

